IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.205 OF 2007

Mahendra Jagdish Agarwal — Petitioner
vs.
The State of Maharashtra & ors. — Respondents

Mr.Bhavesh Parmar for the petitioner.

Mrs.A.S.Pai, APP for respondent-State.

CORAM : SMT.RANJANA DESAI &
ANOOP V. MOHTA,JJ.

DATED : 13th February, 2007

P.C.

Grievance of the petitioner is that he has been falsely involved in a case registered under the provisions of Maharashtra Control of Organised Crime Act, 1999 (for short, "MCOCA") at the instance of respondent 3. We are informed that in respect of the complaint filed by respondent 3 a case is pending in the Special Court. In view of the pendency of the case, it is not possible for us to entertain the present petition as the petitioner is requesting this court to pass an order directing respondent 2 to enquire as to whether the petitioner is falsely involved.

2. At this stage, the learned counsel for the petitioner seeks permission to withdraw this petition

with liberty to adopt such other proceedings for redressal of his grievance as may be available to him in law.

3. The writ petition is allowed to be withdrawn with liberty as prayed. We make it clear that we have not expressed any opinion on the merits of the case and if any proceedings are adopted by the petitioner, the Court seized of the matter may deal with the same independently and in accordance with law.

4. Writ petition is disposed of as withdrawn.

[SMT.RANJANA DESAI,J.]

[ANOOP V. MOHTA,J.]